

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 19, 2022

SEAN F. MCAVOY, CLERK

U.S.A. vs. Nelson, Bailey Renee Docket No. 0980 4:21CR06036-SAB-3

Petition for Action on Conditions of Pretrial Release

COMES NOW Elizabeth Lee, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Bailey Renee Nelson, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James P. Hutton sitting in the court at Yakima, Washington, on the 10th day of January 2022, under the following conditions:

Standard Condition #9: Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

Violation number #1: Bailey Renee Nelson is alleged to be in violation of her pretrial release conditions by having used fentanyl on March 24, and April 9, 2022; and methamphetamine and fentanyl on March 27, 2022.

On January 12, 2022, the conditions of pretrial release supervision were reviewed with Ms. Nelson. She verbally acknowledged an understanding of her conditions. Ms. Nelson also signed a copy of her conditions and by doing so, she acknowledged a full understanding, which included standard condition number 9, as noted above. Ms. Nelson was referred to Merit Resource Services (Merit) to participate in the color line program for random drug testing.

On March 24, 2022, Ms. Nelson reported to Merit for drug testing and the drug test results were presumptive positive for methamphetamine. Merit staff sent this drug test to Abbott Laboratory for confirmation and for fentanyl testing. On March 28, 2022, Ms. Nelson admitted to the undersigned officer to having used fentanyl on March 24, 2022. Later on April 6, 2022, the probation office received the drug test report from Abbott Laboratory confirming a negative result for methamphetamine, and confirming a positive result for fentanyl.

On March 27, 2022, Ms. Nelson reported to Merit for drug testing and the drug test was presumptive positive for methamphetamine. Merit staff sent this drug test to Abbott Laboratory for confirmation and for fentanyl testing. The probation office received the drug test report on April 3, 2022, confirming a positive result for fentanyl, amphetamine, and methamphetamine.

On April 11, 2022, Ms. Nelson reported to the probation office and admitted to the undersigned officer to using fentanyl on April 9, 2022. While in the office, a drug test was obtained and the result was presumptive positive for methamphetamine. The drug test was sent to Abbott Laboratory for confirmation and the drug test report was received on April 16, 2022, confirming a diluted specimen with positive results for fentanyl, methamphetamine, and norfentanyl.

Ms. Nelson admitted to the above drug use to her outpatient substance abuse counselor at Somerset Counseling and the undersigned officer. Ms. Nelson was able to secure a bed date for inpatient substance abuse treatment. On April 13, 2022, Ms. Nelson entered inpatient substance abuse treatment at Spokane Addiction Recovery Centers (SPARC). It is respectfully recommended the Court order no action as Ms. Nelson's non-compliance behavior is substance abuse related, and she complied with entering inpatient substance abuse treatment as scheduled. The defendant has expressed a commitment to enter Oxford Housing and aftercare outpatient substance abuse treatment following her release from inpatient substance abuse treatment.

Re: Nelson, Bailey Renee

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PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

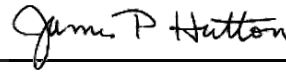

Executed on: April 19, 2022

by s/Elizabeth Lee

Elizabeth Lee
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

Date: 4/19/2022